

MICHAEL C. ORMSBY  
United States Attorney  
Eastern District of Washington  
Stephanie J. Lister  
Assistant United States Attorney  
Post Office Box 1494  
Spokane, WA 99210-1494  
Telephone: (509) 353-2767

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DEC 20 2016

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL LEE VADNAIS,

Defendant.

**2:16-CR-209-TOR**  
INDICTMENT

Vio: 18 U.S.C. § 2252A(a)(2)  
Distribution of Child  
Pornography  
(Count 1)  
  
18 U.S.C. § 2252A(a)(2)  
Receipt of Child Pornography  
(Count 2)  
  
18 U.S.C. § 2252A(a)(5)(B)  
Possession of Child  
Pornography  
(Count 3)  
  
18 U.S.C. § 2253  
Forfeiture Allegations

The Grand Jury Charges:

COUNT 1

(Distribution of Child Pornography)

On or about January 15, 2016, within the Eastern District of Washington, the  
Defendant, DANIEL LEE VADNAIS, did knowingly distribute child pornography, as

1 defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped and transported in  
2 interstate or foreign commerce, or which was produced using materials which had  
3 been mailed or so shipped or transported, by any means, including by computer, to  
4 wit: still image and video files depicting minor and prepubescent children engaging in  
5 sexually explicit conduct including but not limited to actual and simulated intercourse,  
6 and the lascivious exhibition of the genitals and pubic area, in violation of 18 U.S.C. §  
7 2252A(a)(2), (b)(1).

8  
9 COUNT 2

10 (Receipt of Child Pornography)

11 On or about January 3, 2016, through on or about April 6, 2016, within the  
12 Eastern District of Washington, the Defendant, DANIEL LEE VADNAIS, did  
13 knowingly receive child pornography, as defined in 18 U.S.C. § 2256(8)(A), that had  
14 been mailed, shipped and transported in interstate or foreign commerce, or which was  
15 produced using materials which had been mailed or so shipped or transported, by any  
16 means, including by computer, to wit: still image and video files depicting minor and  
17 prepubescent children engaging in sexually explicit conduct including but not limited  
18 to actual and simulated intercourse, and the lascivious exhibition of the genitals and  
19 pubic area, in violation of 18 U.S.C. § 2252A(a)(2), (b)(1).

20 COUNT 3

21 (Possession of Child Pornography)

22 On or about April 6, 2016, within the Eastern District of Washington, the  
23 Defendant, DANIEL LEE VADNAIS, did knowingly possess material which  
24 contained one or more visual depictions of child pornography, as defined in 18 U.S.C.  
25 § 2256(8)(A), the production of which involved the use of a minor who had not  
26 attained 12 years of age engaging in sexually explicit conduct, and which visual  
27 depictions were of such conduct; that has been mailed, shipped and transported in  
28 interstate and foreign commerce, and which was produced using materials which had

1 been mailed, shipped, or transported in interstate and foreign commerce, by any  
2 means including computer, all in violation of 18 U.S.C. § 2252A(a)(5)(B).

3  
4 NOTICE OF FORFEITURE ALLEGATIONS

5 The allegations contained in Counts 1 - 3 of this Indictment are hereby  
6 realleged and incorporated by reference for the purpose of alleging forfeitures  
7 pursuant to 18 U.S.C. § 2253.

8 Upon conviction of the offense(s) alleged in Counts 1 - 3 of this Indictment,  
9 Defendant, DANIEL LEE VADNAIS, shall forfeit to the United States, pursuant to 18  
10 U.S.C. § 2253, any visual depiction described in section 2251, 2251A, 2252, 2252A,  
11 2252B, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or  
12 other matter which contains any such visual depiction, which was produced,  
13 transported, mailed, shipped or received in violation of this chapter; any property, real  
14 or personal, constituting or traceable to gross profits or other proceeds obtained from  
15 such offenses; and, any property, real or personal, used or intended to be used to  
16 commit or to promote the commission of such offenses, or any property traceable to  
17 such property, including but not limited to:

18 (1) HP Variquest Design Center 2300 Computer, bearing serial number  
19 VQNXK534195R

20 (2) Toshiba Satellite Laptop Computer, bearing serial number P755S5215

21 If any of the above described forfeitable property, as a result of any act or  
22 omission of the Defendant:


- 23 (a) cannot be located upon the exercise of due diligence;  
24 (b) has been transferred or sold to, or deposited with, a third party;  
25 (c) has been placed beyond the jurisdiction of the court;  
26 (d) has been substantially diminished in value; or  
27 (e) has been commingled with other property which cannot be divided  
28 without difficulty;

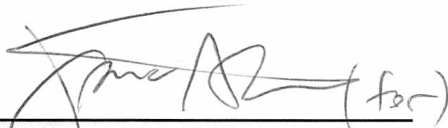


1 it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated  
2 by 18 U.S.C. § 2253(b), to seek forfeiture of any other property of said Defendant up  
3 to the value of the forfeitable property described above.

4 DATED this 20<sup>th</sup> day of December, 2016.

5  
6 A TRUE BILL

7  
8  Foreperson  
9  
10 MICHAEL C. ORMSBY  
11 United States Attorney

12  
13  (for)  
14 Stephanie J. Lister  
15 Assistant United States Attorney  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28